	Application No.	Applicant(s)
Notice of Allowability	09/336,424	SULCER ET AL.
	Examiner	Art Unit
	Hai V. Nguyen	2142

-- The MAILING DATE of this communication appears on th cover sh et with the correspond nce address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiativ of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the communication received on 16 October 2004*.

2. ☒ The allowed claim(s) is/are *1-23, 25-48, and 50-52 that are re-numbered 1-50* .

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some*   c)☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

          International Bureau (PCT Rule 17.2(a)).

     * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

     (a)☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1)☐ hereto or 2)☐ to Paper No./Mail Date _____.

     (b)☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date 09122004.

     Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachm nt(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

        Authorization for this examiner's amendment was given in a telephone interview

with Mr. Coe F. Miles, registration # 38,559, on Wednesday 08 December 2004.

IN THE CLAIMS

Please cancel claims 24 and 49.

Please amend claims 12, 13, 19-23, 25, 37, 38, 42, 44-48, 50 and 52 as follows:

1. (Original) A methods, comprising:

        a) receiving a message that was sent from a remote device, said message

comprising a definition, a state change, and a command, said definition defining a fixed

aspect of a user environment, said state change describing a change in a non-fixed

aspect of said user environment, said command being a directive that causes a function

to be performed; and,

        b) processing said definition before said state change and said command are

processed, processing said state change before said command is processed, and

processing said command.

2. (Previously presented) The method of claim 1, wherein said command further

comprises an express command,

3. (Original) The method of claim 2, wherein said express command corresponds to a clicking a mouse button.

4. (Original) The method of claim 2, wherein said express command corresponds to hitting an enter key.

5. (Original) The method of claim 2, wherein said express command corresponds to selecting an option from a menu.

6. (Original) The method of claim 1, wherein said command is an instruction command.

7. (Original) The method of claim 6, wherein said instruction command corresponds to getting a form.

8. (Original) The method of claim 1, wherein said state change corresponds to a new value in a form.

9. (Original) The method of claim 1, wherein said definition corresponds to the definition of a form,

10. (Original) The method of claim 1, wherein said processing said definition further comprises updating a definition record associated with a GUI understanding with said definition,

11. (Original) The method of claim 1, wherein said processing said state change further comprises updating a state record associated with a GUI understanding with said state change.

12. (Amended) A method executed by a local device that cooperatively operates with a remote device in order to implement an application software program, said device separated from said remote device by a network, said method comprising:

a) recognizing that a dependence on said remote device exists, said dependence being a need for said remote device to perform some act, said act allowing said application software program to continue to operate; and

b) sending a message to said remote device, said message comprising **[either]** a definition, a state change, **and** a command **[or some combination thereof]**, said definition defining a fixed aspect of a said application software program, said state change describing a change in a non-fixed aspect of said application software program, said command being a directive that causes said remote device to perform said act.

13. (Amended) The method of claim 12, wherein said command **[(if any)]** further comprises an express command.

14. (Original) The method of claim 13, wherein said express command corresponds to a clicking a mouse button.

15, (Original) The method of claim 13, wherein said express command corresponds to hitting an enter key.

16. (Original) The method of claim 13, wherein said express command corresponds to selecting an option from a menu.

17. (Amended) The method of claim 12, wherein said command **[(if any)]** is an instruction command.

18. (Original) The method of claim 17, wherein said instruction command corresponds to getting a form.

19. (Amended) The method of claim 12, wherein said state change **[(if any)]** corresponds to a new value in a form.

20. (Amended) The method of claim 12, wherein said definition [(if any)] corresponds to the definition of a form.

21. (Amended) The method of claim 12, further comprising updating a GUI understanding by processing said definition [(if any)] before processing said state change.

22. (Amended) The method of claim 21, wherein said processing said definition [(if any)] further comprises updating a definition record associated with said GUI understanding with said definition [(if any)].

23. (Amended) The method of claim 21, wherein said processing said state change [(if any)] further comprises updating a state record associated with said GUI understanding with said state change [(if any)].

24. (Canceled)

25. (Amended) The method of claim **12** , further comprising translating said definition [(if any)], said state change [(if any)], and said command [(if any)] to a GUI.

26. (Original) A device having a processor and a memory coupled to the processor, the memory having stored therein sequences of instructions which, when executed by the processor, cause the processor to perform the acts of:

a) receiving a message that was sent from a remote device, said message comprising a definition, a state change, and a command, said definition defining a fixed aspect of a user environment, said state change describing a change In a non-fixed aspect of said user environment, said command being a directive that causes a function to be performed; and

b) processing said definition before said state change and said command are

processed, processing said state change before said command is processed, and

processing said command.

27. (Original) The device of claim 26, wherein said command further comprises an

express command,

28. (Original) The device of claim 27, wherein said express command corresponds to a

clicking a mouse button.

29. (Original) The device of claim 27, wherein said express command corresponds to

hitting an enter key.

30. (Original) The device of claim 27, wherein said express command corresponds to

selecting an option from a menu.

31. (Original) The device of claim 26, wherein said command is an instruction

command.

32. (Original) The device of claim 31, wherein said instruction command corresponds to

getting a form.

33. (Original) The device of claim 26, wherein said state change corresponds to a new

value in a form.

34. (Original) The device of claim 26, wherein said definition corresponds to the

definition of a form.

35. (Original) The device of claim 26, wherein said processing said definition further

comprises updating a definition record associated with a GUI understanding with said

definition.

36. (Original) The device of claim 26, wherein said processing said state change further comprises updating a state record associated with a GUI understanding with said state change.

37. (Amended) A local device that cooperatively operates with a remote device in order to implement an application software program, said device separated from said remote device by a network, said device having a processor and a memory coupled to the processor, the memory having stored therein sequences of instructions which, when executed by the processor, cause the processor to perform the acts of:

    a) recognizing that a dependence on said remote device exists, said dependence being a need for said remote device to perform some act, said act allowing said application software program to continue to operate; and

    b) sending a message to said remote device, said message comprising **[either]** a definition, a state change, **and** a command **[or some combination thereof]**, said definition defining a fixed aspect of a scald application software program, said state change describing a change in a non-fixed aspect of said application software program, said command being a directive that causes said remote device to perform said act.

38. (Amended) The local device of claim 37, wherein said command **[(if any)]** further comprises an express command,

39. (Original) The local device of claim 38, wherein said express command corresponds to a clicking a mouse button.

40. (Original) The local device of claim 38, wherein said express command corresponds to hitting an enter key.

41. (Original) The local device of claim 38, wherein said express command corresponds to selecting an option from a menu.

42. (Amended) The local device of claim 37, wherein said command [(if any)] is an instruction command.

43. (Original) The local device of claim 42, wherein said instruction command corresponds to getting a form.

44. (Amended) The local device of claim 37, wherein said state change [(if any)] corresponds to a new value in a form.

45. (Amended) The local device of claim 37, wherein said definition [(if any)] corresponds to the definition of a form.

46. (Amended) The local device of claim 37, further comprising updating a GUI understanding by processing said definition [(if any)] before processing said state change [(if any)].

47. (Amended) The local device of claim 46, wherein said processing said definition [(if any)] further comprises updating a definition record associated with said GUI understanding with said definition [(if any)].

48. (Amended) The local device of claim 37, wherein said processing said state change [(if any)] further comprises updating a state record associated with said GUI understanding with said state change [(if any)].

49. (Cancelled)

50. Amended) The local device of claim **37** , further comprising translating said definition [(if any)], said state change [(if any)] and said command [(if any)] to a GUI.

51. (Original) A machine readable medium having stored thereon sequences of

Instructions, which when executed by a processor, cause the processor to perform a

method, said method comprising:

a) receiving a message that was sent from a remote device, said message

comprising a definition, a state change, and a command, said definition defining a fixed

aspect of a user environment, said state change describing a change in a non-fixed

aspect of said user environment, said command being a directive that causes a function

to be performed; and

b) processing said definition before said state change and said command are

processed, processing said state change before said command Is processed, and

processing said command.

52. (Amended) A machine readable medium to be executed by a local device that

cooperatively operates with a remote device in order to implement an application

software program, said device separated from said remote device by a network, said

machine readable medium having stored thereon sequences of Instructions, which

when executed by a processor, cause the processor to perform the acts of:

a) recognizing that a dependence on said remote device exists, said dependence

being a need for said remote device to perform some act, said act allowing said

application software program to continue to operate; and

b) sending a message to said remote device, said message comprising **[either]** a

definition, a state change, **and** a command **[or some combination thereof]**, said

definition defining a fixed aspect of a said application software program, said state

change describing a change In a non-fixed aspect of said application software program, said command being a directive that causes said remote device to perform said act.

IN THE ABSTRACT

Please amend the Abstract as follows:

A method comprising receiving a message from a remote device, the message comprising **[either]** a definition, a state change, **and** a command **[or some combination thereof]**; processing the definition **[(if any)]** before the state change **[(if any)]**; and processing the state change **[(if any)]** before processing said command **[(if any)]**. Another method comprising recognizing a dependence on a remote device; and sending a message to the remote device, the message comprising **[either]** a definition, a state change, **and** a command **[or some combination thereof]**. Also apparatus are described having a processor and a memory coupled to the processor, the memory having stored therein sequences of instructions which, when executed by the processor, cause the processor to perform the above methods.

IN THE SUMMARY OF THE INVENTION

Please amend the Summary Of The Invention as follows:

A method comprising receiving a message from a remote device, the message comprising **[either]** a definition, a state change, **and** a command **[or some combination thereof]**; processing the definition **[(if any)]** before the state change **[(if**

any)]; and processing the state change **[(if any)]** before processing said command **[(if**

any)].

Another method comprising recognizing a dependence on a remote device; and

sending a message to the remote device, the message comprising **[either]** a definition,

a state change, **and** a command **[or some combination thereof]**.

Also apparatus are described having a processor and a memory coupled to the

processor, the memory having stored therein sequences of instructions which, when

executed by the processor, cause the processor to perform the above methods.

Drawings

2.   The drawings filed on 17 June 1999 are acceptable subject to correction of the

informalities (i.e., handwritten, fuzzy figures). In order to avoid abandonment of this

application, correction is required in reply to the Office action. The correction will not be

held in abeyance.

Reasons For Allowance

3.   The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of the claims is the inclusion of "*receiving a message*

that was sent from a remote device, said message comprising a definition, a state

change, and a command, said definition defining a fixed aspect of a user environment,

said state change describing a change in a non-fixed aspect of said user environment,

said command being a directive that causes a function to be performed;" in all of the

independent claims. Chen et al. U.S patent # 5,506,955, Yoshikawa et al. U.S patent #

6,061,516, Agranat et al. U.S patent # 5,973,696, Niblett et al. U.S patent # 6,336,135

B1, and Mutschler III et al. U.S patent # 5,940,075, do not have these limitations.

4.   The Examiner's interpretation of the claim language is based upon Applicant's

the arguments received on 06 October 2004 (pages 2-30, on 21 April 2004 (pages 305),

the Appeal Brief received on 02 February 2004 (pages 4-5, 8-12, and the enabling

portions of the specification, (Fig. 4, Abstract, pages 31-32) and the Examiner's

Amendment above. Therefore, Applicant's instant claims are considered to be

allowable.

5.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

6.   **Claims 1-23, 25-48, 50-52** that is re-numbered 1-50 are allowed.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JACK B. HARVEY
SUPERVISORY PATENT EXAMINER

Hai V. Nguyen
Examiner
Art Unit 2142